

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DENNIS C. STRONG,

Plaintiff,
v.

Case No. 21-cv-1236-pp

STATE OF WISCONSIN, *et al.*,

Defendants.

**ORDER DISMISsing CASE FOR FAILURE TO PAY FILING FEE AND
FAILING TO COMPLY WITH COURT ORDER**

On October 22, 2021, the plaintiff filed a complaint alleging that the defendants conspired to steal and/or destroy two of his thumb drives when he was confined at Dodge Correctional Institution or Fox Lake Correctional Institution. Dkt. No. 1. The plaintiff also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 2.

On May 20, 2022, the court issued an order denying the plaintiff's motion to proceed without prepaying the filing fee. Dkt. No. 8. The order noted that the plaintiff had accumulated three "strikes"—that is, that he had three previous cases dismissed for failure to state a claim—and thus that under 28 U.S.C. §1915(g) he could not proceed without prepaying the filing fee unless he demonstrated that he was in imminent danger of serious physical injury. *Id.* at 1-2. The court concluded that the plaintiff had not made that showing. *Id.* at 2. The court ordered that the plaintiff must pay the full filing fee of \$402 in time for the court to receive it by day's end on June 3, 2022. *Id.* at 3. The

order advised the plaintiff that if the court did not receive the filing fee by the end of the day on June 3, 2022, the court would dismiss the case. Id.

June 3, 2022 has come and gone and the court has not received the filing fee. The court will dismiss the case without prejudice. "The law requires any prisoner who brings a civil action to pay the full filing fee." 28 U.S.C. §1915(b)(1). The plaintiff is no longer in custody and the court will order him to submit the full \$402 filing fee to the court.

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** because the plaintiff failed to pay the filing fee by the deadline set by the court and failed to comply with the court's May 20, 2022 order. The clerk will enter judgment accordingly.

The court **ORDERS** that the plaintiff must pay the full \$402 filing fee to the court as soon as possible.

Dated in Milwaukee, Wisconsin this 31st day of October, 2022.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge